

REMARKS

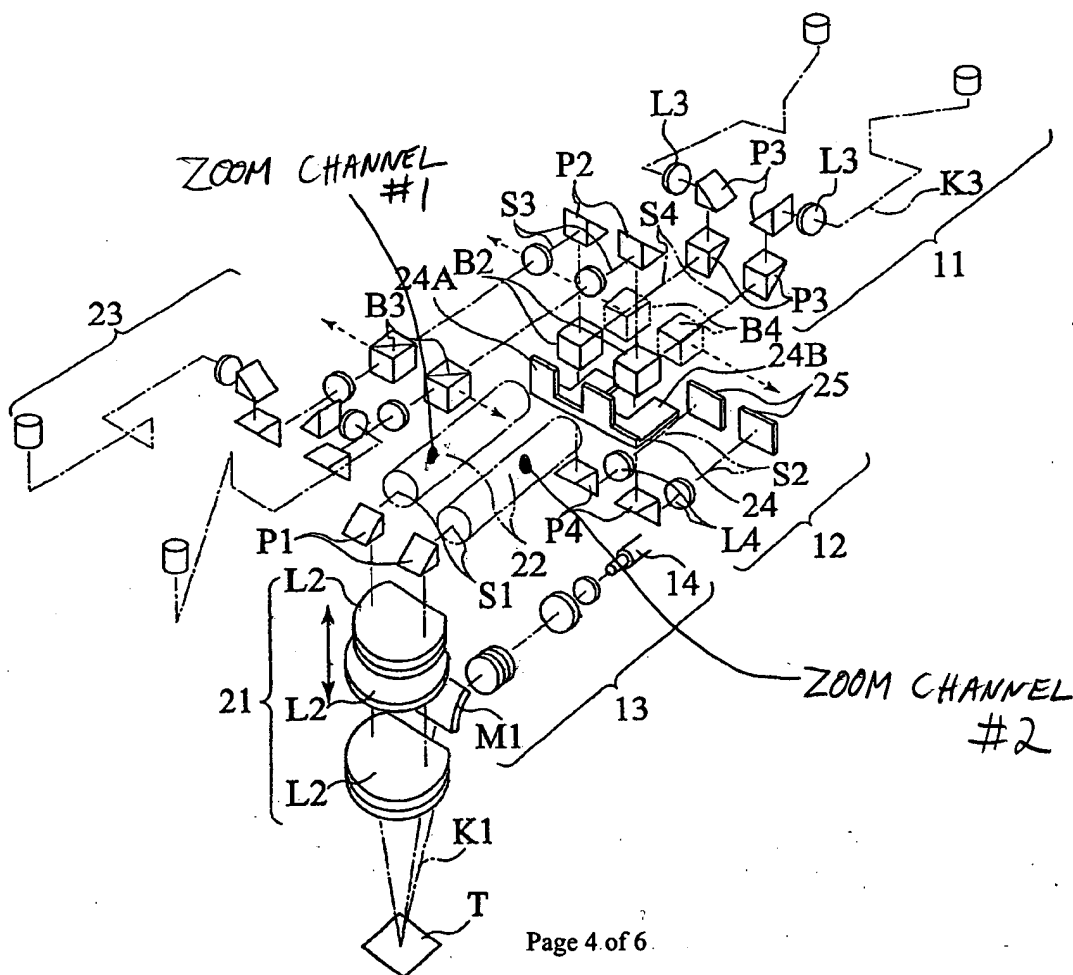
Claim Rejections - 35 USC § 102

Claims 1, 2, 4, 5, 8, and 9 are rejected under 35 USC 102(e) as being unpatentable over US 2001/0010592 (Nakamura). The rejection is respectfully traversed for reasons discussed below.

The stereomicroscope disclosed by Nakamura has a zoom system 22 that includes only two magnification channels, for stereoscopic viewing. This is described at paragraph [0032] and can be seen in Fig. 3 as indicated below:

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FIG.3



The Office Action appears to take the position that zoom system 22 includes five magnification channels corresponding to elements 5, 8, 9, 11, and 12. However, Nakamura uses beam splitter pairs B2, B3 and B4 after the zoom system 22 to divide and branch the two zoom system channels to the various output elements. See Nakamura at paragraphs [0033] and [0034].

Nakamura discloses another beam splitter pair B1 in front of the objective for branching light to an assistant's microscope

Therefore, it is respectfully argued that the Patent Office is mistaken in asserting that the zoom system 22 includes "at least three substantially horizontally extending magnification or observation channels" as required by independent claims 1 and 8.

The stereomicroscope as defined by independent claims 1 and 8 exhibits important advantages over that disclosed by Nakamura. First, the free working distance -- that is, the distance between the object being observed and the closest element of the stereomicroscope to the object -- can be significantly greater because the invention avoids the need for another beam splitter pair in front of the objective (between the objective and the object) for branching light to an assistant's microscope. Contrast this with Nakamura, which includes a beam splitter pair B1 in front of objective 21 (lenses L2) for branching light to an assistant's microscope 7 having its own objective 15 (lenses L1) and its own zoom system 16. This relates to a second advantage over Nakamura, namely an improvement in light intensity by elimination of the additional beam splitter B1 and objective 15.

Accordingly, favorable reconsideration of claims 1 and 8, and claims 2, 4, 5, and 9 depending therefrom, is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 6 and 7 are rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 5052789 (Kleinberg). The failure of Nakamura to describe a stereomicroscope "wherein the zoom system includes at least three substantially horizontally extending magnification or observation channels," as argued above, is also fatal to the present rejection. Therefore, allowance of claims 6 and 7 is respectfully requested.

Claim 10 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 2003/0165012 (Straehle et al.). The deficiency in the primary reference Nakamura, discussed above, is not cured by Straehle et al. Therefore, allowance of claim 10 is kindly sought.

Claim 11 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 6356088 (Simon et al.). Neither reference suggests the limitation "wherein the zoom system includes at least three substantially horizontally extending magnification or observation channels" as set forth in parent claim 8. Accordingly, removal of the rejection of claim 11 is respectfully requested.

Claim 12 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 5861982 (Takahama et al.). Again, Nakamura fails to disclose a zoom system including "at least three substantially horizontally extending magnification or observation channels" as claimed. This limitation is not present in Takahama et al. Therefore, allowance of claim 12 is respectfully sought.

Claim 13 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of US 6081371 (Shioda et al.). The secondary reference does not supply the zoom system limitation missing from Nakamura, and so applicant respectfully asks that the rejection of claim 13 be withdrawn.

Claim 14 is rejected under 35 USC 103(a) as being unpatentable over Nakamura in view of Official Notice with respect to the use of filters. Because Nakamura does not teach or suggest a zoom system including "at least three substantially horizontally extending magnification or observation channels" as claimed in parent claim 8, removal of the rejection is respectfully requested.

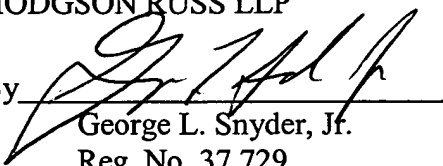
Conclusion

The present application is thought to be in a condition for allowance. If the Examiner has any questions, or the attorneys for applicants can assist in any way, the undersigned attorney may be contacted at the number provided below.

Respectfully submitted,

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By


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GLS/

Enclosures: Fee Transmittal
Check in the amount of \$120.00 for One-Month Extension
Petition For One-Month Extension of Time

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